

House Study Bill 523 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON BALTIMORE)

A BILL FOR

1 An Act restricting disclosures of specified information by
2 regional transit districts, and providing a penalty.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 28M.1, Code 2014, is amended by adding
2 the following new subsections:

3 NEW SUBSECTION. 1A. "*Customer transaction history and fare*
4 *card use data*" means information relating to the date or time a
5 fare card or product was purchased or used, the mode of travel,
6 or the type of fare card or product purchased or used.

7 NEW SUBSECTION. 1B. "*Fare collection system*" means a system
8 created and administered by a regional transit district that
9 is used for collecting fares or providing fare cards or passes
10 for public transit services including fixed-route bus service,
11 paratransit bus service, rideshare programs, transportation
12 services provided pursuant to section 249A.12, and light rail
13 or commuter rail service.

14 NEW SUBSECTION. 1C. "*Governmental entity*" means the same
15 as defined in section 8A.101.

16 NEW SUBSECTION. 1D. "*Personalized internet services*" means
17 services for which regional transit district applicants, users,
18 and customers must establish an internet user account.

19 Sec. 2. NEW SECTION. 28M.7 **Regional transit district**
20 **customer data — disclosure restrictions — penalty.**

21 1. Data concerning applicants, users, and customers of a
22 regional transit district collected by or through personalized
23 internet services or a fare collection system shall be
24 considered private and not subject to disclosure except as
25 provided in subsection 2.

26 2. Notwithstanding subsection 1, customer transaction
27 history and fare card use data may be disclosed under the
28 following circumstances:

29 a. To governmental entities, organizations, school
30 districts, educational institutions, and employers strictly
31 for purposes of measuring and promoting fare card use and
32 evaluating the cost-effectiveness of fare card programs.

33 In the event a user or customer requests in writing that a
34 regional transit district limit the disclosure of the user's
35 or customer's customer transaction history and fare card use

1 data, a regional transit district may disclose only a fare card
2 balance and the date the card was last used.

3 b. To governmental entities to prevent a breach of security
4 regarding electronic systems maintained by the regional transit
5 district or the governmental entity, or pursuant to a subpoena
6 issued in connection with a civil or criminal investigation.

7 3. A violation of this section is punishable by a civil
8 penalty in an amount not to exceed five thousand dollars for
9 each violation.

10	EXPLANATION
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11 The inclusion of this explanation does not constitute agreement with
12 the explanation's substance by the members of the general assembly.

13 This bill restricts disclosure of specified information by
14 regional transit districts.

15 The bill provides several new definitions. The bill defines
16 "customer transaction history and fare card use data" to mean
17 information relating to the date or time a fare card or product
18 was purchased or used, the mode of travel, or the type of fare
19 card or product purchased or used. The bill defines "fare
20 collection system" to mean a system created and administered
21 by a regional transit district that is used for collecting
22 fares or providing fare cards or passes for public transit
23 services including fixed-route bus service, paratransit bus
24 service, rideshare programs, transportation services provided
25 pursuant to Code section 249A.12, and light rail or commuter
26 rail service. The bill defines "personalized internet
27 services" to mean services for which regional transit district
28 applicants, users, and customers must establish an internet
29 user account. Additionally, the bill references an existing
30 definition of "governmental entity" defined in Code section
31 8A.101 as meaning any unit of government in the executive,
32 legislative, or judicial branch of government; an agency or
33 political subdivision; any unit of another state government,
34 including its political subdivisions; any unit of the United
35 States government; or any association or other organization

1 whose membership consists primarily of one or more of any of
2 the foregoing.

3 The bill provides that data concerning applicants, users,
4 and customers of a regional transit district collected
5 by or through personalized internet services or a fare
6 collection system shall be considered private and not subject
7 to disclosure. The bill provides two exceptions to this
8 nondisclosure restriction. First, the bill provides that
9 disclosure may be made to governmental entities, organizations,
10 school districts, educational institutions, and employers
11 strictly for purposes of measuring and promoting fare card use
12 and evaluating the cost-effectiveness of fare card programs.
13 The bill adds, however, that if a user or customer requests in
14 writing that a regional transit district limit the disclosure
15 of the user's or customer's customer transaction history and
16 fare card use data, a regional transit district may disclose
17 only a fare card balance and the date the card was last used.
18 Second, the bill provides that disclosure may be made to
19 governmental entities to prevent a breach of security regarding
20 electronic systems maintained by the regional transit district
21 or the governmental entity, or pursuant to a subpoena issued in
22 connection with a civil or criminal investigation.

23 The bill provides that a violation of the bill's provisions
24 is punishable by a civil penalty in an amount not to exceed
25 \$5,000 per violation.